

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE**

ROCEP LUSOL HOLDINGS LIMITED

Plaintiff,

v.

PERMATEX, INC., and
ULTRAMOTIVE CORPORATION

Defendants.

CIVIL ACTION NO.
CV-05-141 (KAJ)

REPLY TO ANSWER AND COUNTERCLAIMS

Plaintiff Rocep Lusol Holdings Limited (“Plaintiff”) responds to the Answer and Counterclaims filed by Defendants Permatex, Inc. (“Permatex”) and Ultramotive Corporation (“Ultramotive”); collectively referred to as “Defendants” in the above-referenced matter as follows:

In responding to the affirmative defenses and counterclaims, Plaintiff refers to the Paragraphs set forth in Defendants’ Answer:

Defendants’ Affirmative Defenses

15. Plaintiff denies the allegations of paragraph 15.
16. Plaintiff denies the allegations of paragraph 16, including all subparts.
17. Plaintiff lacks knowledge and information necessary to respond to the allegations of paragraph 17, and therefore denies the allegations as set forth in this paragraph.
18. Plaintiff denies the allegations of paragraph 18.
19. Plaintiff denies the allegations of paragraph 19.
20. Plaintiff denies the allegations of paragraph 20.

21. Plaintiff denies the allegations of paragraph 21.

22. Plaintiff denies the allegations of paragraph 22.

Defendants' Counterclaims

23. Plaintiff admits to the allegations of paragraph 23.

24. Plaintiff admits to the allegations of paragraph 24.

25. Plaintiff admits to the allegations of paragraph 25.

26. Plaintiff admits that the Answer includes counterclaims for declaratory judgment of patent non-infringement and patent invalidity, and that the counterclaims arise from an actual controversy between Defendants and Plaintiff. All other allegations stated in this paragraph are denied.

27. Plaintiff admits to the allegations of paragraph 27.

28. Plaintiff admits to the allegations of paragraph 28.

29. Plaintiff admits to the allegations of paragraph 29.

30. Plaintiff admits that Rocep Lusol is the owner of the '064 patent.

31. Plaintiff admits that the lawsuit was filed against Defendants for infringement of the '064 patent based on the making, using and/or selling of certain pressurized dispenser products that are sold by Defendants, which products infringe the '064 patent. To the extent the paragraph is inconsistent with this, Plaintiff denies the same.

First Counterclaim (Declaratory Judgment of Patent Non-Infringement)

32. Plaintiff realleges the averments of paragraphs 22-31 as if fully set forth herein.

33. Plaintiff denies the allegations of paragraph 33.

Second Counterclaim (Declaratory Judgment of Patent Invalidity)

34. Plaintiff realleges the averments of paragraphs 22-33 as if fully set forth herein.
35. Plaintiff denies the allegations of paragraph 35.

Wherefore, Plaintiff requests:

- A. That the Court dismiss the affirmative defenses with prejudice;
- B. That the Court dismiss the counterclaims with prejudice;
- C. That the Court denies all relief requested by Defendants;
- D. That the Court awards Plaintiff its costs and reasonable attorney fees for having to defend against and respond to the affirmative defenses and counterclaims; and
- E. That the Court awards Plaintiff such further relief as the Court may find just and proper.

Respectfully submitted,
ROCEP LUSOL HOLDINGS LIMITED

Dated: August 24, 2005

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